

ACT #2018-

37

CA

1
2
3
4
5

HB168

187100-2

By Representative Hurst (Constitutional Amendment)

RFD: Local Legislation

First Read: 11-JAN-18

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

Proposing an amendment to Amendment 671 to the Constitution of Alabama of 1901, now appearing as Section 4, Local Amendments, Clay County, Official Recompilation of the Constitution of Alabama of 1901, as amended, to prohibit the Sheriff of Clay County from participating in the supernumerary program of the county and to allow the sheriff to elect to participate in the Employees' Retirement System; and repealing Act 2017-193 (2017 Regular Session).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

Amendment 671 to the Constitution of Alabama of 1901, now appearing as Section 4, Local Amendments, Clay County, Official Recompilation of the Constitution of Alabama of 1901, as amended, is amended to read as follows:

"Amendment 671.

"(a) No elected or appointed Clay County official may assume a supernumerary office after ~~the effective date of this amendment~~ December 13, 2000. Any person who, on the ~~effective date of this amendment~~ December 13, 2000, is entitled to participate in a supernumerary program may

1 continue to participate in that supernumerary program, which
2 shall include the assumption of a supernumerary office
3 according to the terms and conditions of the law which
4 established that supernumerary program. Every elected or
5 appointed Clay County official may participate in the
6 Employees' Retirement System of Alabama upon the same terms
7 and conditions as may be specified by law for any other
8 employee in the same retirement system, and shall be treated
9 as an employee of the county. Clay County officials holding
10 office ~~at the time of the ratification of this amendment~~ on
11 December 13, 2000, shall be eligible to purchase service
12 credit in the Employees' Retirement System for the time the
13 official has served in the current office. No person may
14 participate in both a supernumerary program and the Employees'
15 Retirement System based on the same service. For the purposes
16 of this amendment, the words "elected or appointed Clay County
17 official" shall include, subject only to express limitation,
18 any person elected to represent Clay County in any
19 representative body of the state and includes any person
20 appointed to serve the remaining term of an elected or
21 appointed Clay County official. The words do not include a
22 judge, district attorney, constable, school board member, or
23 any official elected from a judicial circuit.

24 "(b) A Sheriff of Clay County first elected after
25 the ratification date of the amendment adding this subsection

1 may not participate in a supernumerary program and may
2 participate in the Employees' Retirement System of Alabama
3 upon the same terms and conditions as may be specified by law
4 for any other employees in the same retirement system. The
5 Sheriff of Clay County holding office at the time of the
6 ratification date of the amendment adding this subsection
7 shall be eligible to purchase service credit in the Employees'
8 Retirement System for the time he or she has served as
9 sheriff. The sheriff shall forego the assumption of a
10 supernumerary office and shall make the election within one
11 year after the ratification date of the amendment adding this
12 subsection."

13 Section 2. Act 2017-193 of the 2017 Regular Session
14 is repealed.

15 Section 3. An election upon the proposed amendment
16 shall be held in accordance with Section 284.01 of the
17 Constitution of Alabama of 1901, as amended, and the election
18 laws of this state.

19 Section 4. The appropriate election official shall
20 assign a ballot number for the proposed constitutional
21 amendment on the election ballot and shall set forth the
22 following description of the substance or subject matter of
23 the proposed constitutional amendment:

24 "Relating to Clay County, proposing an amendment to
25 Amendment 671 to the Constitution of Alabama of 1901, now

1 appearing as Section 4, Local Amendments, Clay County,
2 Official ReCompilation of the Constitution of Alabama of 1901,
3 as amended, to prohibit the Sheriff of Clay County from
4 participating in the supernumerary program of the county and
5 to allow the sheriff to elect to participate in the Employees'
6 Retirement System.

7 "Proposed by Act _____."

8 This description shall be followed by the following
9 language:

10 "Yes () No ()."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

Mac McClatchey

Speaker of the House of Representatives

Del Mar

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 18-JAN-18.

Jeff Woodard
Clerk

Senate

01-FEB-18

Passed

Alabama Secretary Of State

Act Num.....: 2018-37
Bill Num....: H-168

Recv'd 02/01/18 12:42pmSLF

52

SPONSOR Hurst DIST. NO. (35)

- 28 _____
- 29 _____
- 30 _____
- 31 _____
- 32 _____
- 33 _____
- 34 _____
- 35 _____
- 36 _____
- 37 _____
- 38 _____
- 39 _____
- 40 _____
- 41 _____
- 42 _____
- 43 _____
- 44 _____
- 45 _____
- 46 _____
- 47 _____
- 48 _____
- 49 _____
- 50 _____
- 51 _____

JEFF WOODARD, Clerk

HOUSE ACTION
DATE: 1-11 2018
RD 1 RFD LL

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on Security was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed w/amend(s) w/sub this 11th day of January 2018.
Alan Baker, Chairperson

DATE: 1-11 2018
RF AMENDMENT RD 2 CAL

DATE: 20
RE-REFERRED | RE-COMMITTED |
Committee

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 168.
YEAS 38 NAYS 0

DATE: 20
RECONSIDERED _____ YEARS _____ NAYS _____
SENATE ACTION
DATE: 1-18 2018
RD 1 RFD LL

This Bill was referred to the Standing Committee of the Senate on LL1 and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) w/sub w/eng sub by a vote of _____ yeas _____ nays _____ abstain this 30th day of January 2018.
Donald Deal, Chairperson

DATE: 1-30 2018
RF FAV RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 168.
YEAS 21 NAYS 0
PATRICK HARRIS, Secretary

DATE: 2-1-18 RD 3 at length
PASSED PASSED AS AMENDED

YEAS 21 NAYS 0
And was ordered returned forthwith to the House.
PATRICK HARRIS, Secretary

DATE: 20
INDEFINITELY POSTPONED _____ YEARS _____ NAYS _____